

Serial No. 10/773,107
60130-2016; 02MRA0393

REMARKS

The drawings are objected to as failing to comply with 37 CFR 1.84(p) because they include the reference numeral 17. Reference numeral 17 refers to "the outer contour" as recited in line 9 of paragraph 24. Reference numeral 17 is included in the specification.

The drawings are objected to under 37 CFR 1.83(a) for not showing a second guide rail, a second fastening point, a lock and a handle. Figure 1 has been amended to illustrate the lock 34 and the handle 32. Support for this amendment is found in paragraph 30. New Figure 2 has been added to show the second guide rail 281 and the second fastening point 281. Support for this amendment is found in paragraph 29. No new matter has been added. A replacement sheet including Figure 1 and new Figure 2 are included with the response.

Claims 1-15 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Claim 1 has been amended to recite that a window regulator rail has a fastening point to a door. The rejection has been overcome.

Claims 1-3, 5, 7 and 8 are rejected under 35 U.S.C. 102(b) as being anticipated by Bertolini et al. (6,029,403). Bertolini does not disclose a vehicle door module including a window regulator rail that has a fastening point to a door and a projecting line that extends from the fastening point and perpendicular to the rail window regulator to intersect a plane defined by a door trim outside the door trim. Bertolini discloses a door 1 including a rail 18 fixed to a carrier plate 6 (column 3, lines 54 to 56 and Figure 6). The rail 18 is only fixed to the carrier plate 6 and is not fixed to the door 1 or any other component of the door 1. Additionally, because the rail 18 is not fixed to the door 1, there is no fastening point and no projecting line that extends from a fastening point and perpendicular to the rail 18 to intersect a plane defined by a door trim outside the door trim as claimed. Bertolini does not disclose the claimed invention, and Applicant respectfully requests that the rejection be withdrawn.

Claims 1, 3, 4 and 7-10 are rejected under 35 U.S.C. 102(e) as being anticipated by Nishikawa et al. (6,449,907). Nishikawa does not disclose a vehicle door module including a window regulator rail that has a fastening point to a door and a projecting line that extends from the fastening point and perpendicular to the rail to intersect a plane defined by a door trim outside the door trim. Nishikawa discloses a door including a door panel sub-assembly D, a plastic mounting panel P and a trim unit T (column 4, lines 3-6). A rail R2 is attached to the plastic

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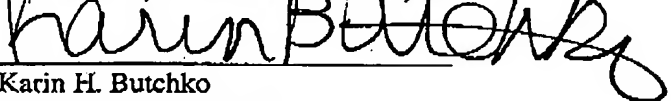
mounting panel P (column 4, lines 53 to 54). The rail R2 is supported from the door panel subassembly D and fixedly attached to the plastic mounting panel P by a fixing rib 45, a fixing boss 46 and an engaging boss 47 (column 6, lines 15 to 19). The rail R2 is only attached to plastic mounting panel P and is not fixed to the door or any other component of the door. Additionally, because the rail R2 is not fixed to the door at a fastening point, Nishikawa does not disclose a projecting line that extends from a fastening point and perpendicular to the rail R2 to intersect a plane defined by a door trim outside the door trim as claimed. Nishikawa does not disclose the claimed invention, and Applicant respectfully requests that the rejection be withdrawn.

Claim 6 is rejected under 35 U.S.C. 103(a) as being unpatentable over Bertolini et al. (6,029,403) in view of Nishikawa et al (6,449,907). Based on the description of the rejection, Applicant is assuming that it is claim 4 and not claim 6 that is rejected. Claim 4 depends on patentable independent claim 1 and is allowable for the reasons set forth above. Neither reference discloses, suggests or teaches a vehicle door module including a window regulator rail that has a fastening point to a door and a projecting line that extends from the fastening point and perpendicular to the rail to intersect a plane defined by a door trim outside the door trim. Therefore, the combination of the references does not disclose, suggest or teach the claimed invention. Claim 6 is not obvious, and Applicant respectfully request that the rejection be withdrawn.

Thus, claims 1-15 are in condition for allowance. No additional fees are seen to be required. If any additional fees are due, however, the Commissioner is authorized to charge Deposit Account No. 50-1482, in the name of Carlson, Gaskey & Olds, P.C., for any additional fees or credit the account for any overpayment. Therefore, favorable reconsideration and allowance of this application is respectfully requested.

Respectfully Submitted,

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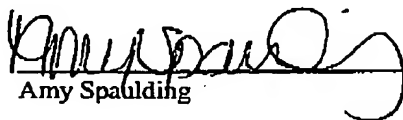
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CERTIFICATE OF FACSIMILE

I hereby certify that this correspondence is being facsimile transmitted to the United States Patent and Trademark Office, (703) 872-9306 on June 17, 2005.


Amy Spaulding